

CHAPTER X

LAND CHARGES

FOR many years prior to 1925 there had been a Land Charges Registry, but it is only since the Land Charges Act, 1925, that it has assumed its present importance. The land charges as registered before 1925 were in respect of deeds of arrangement, judgments or orders affecting land and other matters which, while they affected land, so seldom arose that only a small proportion of solicitors ever troubled to search for them. Even those who did search did so more or less as a matter of course, and seldom, if ever, found any entry affecting their title.

The Land Charges Act, 1925, turned this unimportant register into one of the utmost importance to ordinary (i.e. unregistered) conveyancing. In the antagonism between land registration and ordinary conveyancing, the land registration enthusiast was able to point with pride to the fact that all charges and incumbrances affecting a registered title appeared on the title, whereas in ordinary (i.e. unregistered) conveyancing, there might be—in addition to the charges and incumbrances disclosed by the title deeds—a whole series of incumbrances and liabilities affecting the land (not disclosed by the deeds) which were binding on a purchaser.

These charges might not only be of an

onerous
character, they might even defeat the
purpose for
which the purchaser bought the land,
or invalidate
the sale altogether, and these liabilities
might still